

Dear Commissioners:

Don't prevent states from fixing my cell phone problems. I am writing to oppose CG Docket No. 04-208 and WT Docket No. 05-194, which will unjustly take away the authority of states to tackle problems with cell phone service, including abusive cancellation penalties. Worse, the proposal will put in place a weak set of cell phone company-endorsed rules that offer no improvements in service or enforcement.

It's time to adopt policies that force cell phone companies to improve the level of service they provide to consumers. When I signed up for Cingulair with Southern Bell, I was told I 'could try it.' I received a cheap, sorry phone and the cost of this junk was supposedly \$200. I could have bought a nice phone for same amt., however I was supposedly getting this for a nominal fee for joining. The phone worked for about three weeks. I took it to the cell phone store and it was replaced. The second one (same model) lasted about three or four days. It had this hard rubber button on top that literally bent my fingernail when I tried to push it down. Half the time the phone didn't come on when you pushed on it, and yet you were not allowed to use a key or other hard object to push the button down. I was told it could not be replaced after the second phone broke, I would have to buy one from their store. I did, and it cost me \$150 and was vastly superior to the phone they sent. Another quirk of Cingulair is if you are one day late on paying your phone bill is your phone gets cut off. Unfortunately I get paid twice a month so when I get paid everyone gets paid. My phone was continuously shut off, and every time they do this a charge of \$30 can be attached to re-start the phone service. It is a racket and a rip off to make extra money off the consumer. I got fed up and told them that I wished to discontinue their service after over a year of phone failures and added charges. I was then told I had a "contract" for two years. I had never signed anything, but I hated them so much that I paid the money to be done with them rather than have them turn me in to a collection agency. I expressed my displeasure to my regular carrier that had recommended them, but, of course, Cingulair is "separate" from their company. Always an excuse.... the money I had to pay Cingulair was undoubtedly to cover the cost of the wonderful phone they sent me originally worth about \$20 only. Oh, and surprise, the phone I bought from the Cingulair store can't be used with another phone service so now I have a \$150 phone that is useless without their service. Wonderful.

Although CG Docket No. 04-208 purports to address consumer frustration with confusing cell phone bills, hidden fees and misleading advertising, the proposal does little for consumers. In the name of helping us, the agency is proposing to block states from passing their own pro-consumer laws. As bad, WT Docket No. 05-194 would bar state courts from enforcing state law when it comes to unfair and abusive cell phone contracts. That's going too

far.

States are responding to consumer complaints. Don't stop them! And don't give in to adopting weak, industry-drafted rules in their place. The FCC should stand up to the cell phone industry, and respect states rights and strong consumer protections.

Sincerely,  
Shirley Storey